

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 24, 1979
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino

Absent: None

INVOCATION

The Invocation was given by Reverend Richard E. McCabe, St. Theresa's Church.

SPECIAL OLYMPICS DAY

Mayor McClellan proclaimed May 28-30 Special Olympics Days and presented a proclamation to Dennis Poulos, State Director of Special Olympics; Mark Lett, Recreation Director, Travis State School; and Mike Smith and Claudia Cunningham, contestants in the Special Olympics. Mr. Poulos thanked the Mayor for the proclamation.

VIETNAM VETERANS WEEK

Vietnam Veterans Week will be observed the week of May 28, 1979, according to a proclamation read by the Mayor. Several were in the Council Chamber to accept the proclamation. They were: Robert Chapa, U.S. Department of Labor; Major General Thomas S. Bishop, (Ret.); Colonel John Stavast; Colonel Lawson Magruder; Brigadier General Jay Matthews; Colonel Jean K. Woodyard; and Lt. Colonel Sherill Robertson. Colonel Stavast thanked the Mayor and Council for the proclamation.

SAFE BOATING WEEK

The following members of the Austin Power Squadron were in the Council Chamber to receive a proclamation, read by Mayor McClellan, designating the week of June 1-7, 1979 as Safe Boating Week: Commander Mack A. Stolz, Lt. Commander Don W. Whiting, Lt. Ben Willis, Lt. Bernard Colley, Lt. Hal Halff. Commander Stolz thanked the Mayor for the proclamation.

BOARDS AND COMMISSIONS

The Mayor announced the following appointments will be made to Boards and Commissions on May 31, 1979:

Citizen's Board of Natural Resources and Environmental Quality - 1
Dental Health Advisory Committee - 6
Elisabet Ney Museum Board - 2
On-Going of Goals Assembly Committee - 3
Building Code Board of Appeals - 1
Manpower Advisory Planning Council - 1
Urban Transportation Commission - 2
Community Development Commission - 7
Wrecker Standards Commission - 2
Board of Equalization - 3

MINUTES APPROVED

Councilmember Himmelblau moved that the Council approve the Minutes for May 17, 1979 and Special Meeting of May 15, 1979. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Mayor Pro Tem Cooke,
Councilmembers Goodman, Himmelblau, Mullen
Noes: None
Not in Council Chamber when roll was called: Councilmember Trevino

EXECUTIVE SESSION ANNOUNCED

Mayor McClellan announced that Council will convene in a closed or executive session at 1:30 p.m. today, authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

CONDEMNATION PROCEEDINGS

Councilmember Mullen moved that the Council adopt a resolution to authorize condemnation proceedings for an Electric Utility Station site in the Thomas Anderson Survey Number 17 (Oak Hill, Texas). The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Cooke,
Councilmembers Goodman, Himmelblau, Mullen, Snell
Noes: None

CHANGE ORDER

Councilmember Mullen moved that the Council adopt a resolution to approve a Change Order in the amount of \$5,840.25 to Panhandle Construction Company for Clarksville Area Improvements. CAPITAL IMPROVEMENTS PROJECT NO. 77/62-01. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell
Noes: None

CONTRACTS APPROVED

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

L & L SERVICE COMPANY
830 Airport Boulevard
Austin, Texas

- Ammonia Anhydrous, Bulk,
Water & Wastewater Department
Twelve (12) months Supply Agreement
Item 1 - \$20,925.00

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell
Noes: None

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

M. G. BRAVO CONSTRUCTION
COMPANY, INC.
P. O. Box 2668
Laredo, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Crash Fire Rescue Addition to
Fire Station #14 - \$172,800.00
C.I.P. No. 76/81-03

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell
Noes: None

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

STANDARD REGISTER Austin, Texas	- Meter Read Documents, Utility Customer Service and Data Systems Item 1 - \$6,187.50
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The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell
Noes: None

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

JOHNSON INTERNATIONAL MATERIAL Brownsville, Texas	- Disposable Wiping Rags, City Departments. Twelve (12) months Supply Agreement Item 1 - \$37,296.00
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The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell
Noes: None

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

WESTINGHOUSE ELECTRIC SUPPLY COMPANY 9230 Research Austin, Texas	- Cooper Bus Bars, Central Stores Items 1 & 2 - \$11,334.00 (subject to escalation)
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The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell
Noes: None

UT SHUTTLE BUS ROUTE CHANGES

Councilmember Mullen moved that the Council adopt a resolution authorizing route changes for the University of Texas Shuttle Bus System. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell
Noes: None

CAPCO APPLICATION

Councilmember Mullen moved that the Council adopt a resolution authorizing the submission of an application to the Capital Area Planning Council, Area Agency on Aging, for Title III Older American Act funds in the amount of \$10,000. (City share \$1,111) The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell
Noes: None

Councilmember Himmelblau requested a report on the final use of the Fehr-Granger Building. She said several departments have requested use of the building.

LOST CREEK MUD ANNEXATION

Councilmember Mullen moved that the Council adopt a resolution approving the annexation of a 22.70 acre tract and a 19.39 acre tract of land into Lost Creek Municipal Utility District. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell
Noes: None
Abstain: Councilmember Trevino

1978-79 ANNUAL OPERATING BUDGET ADJUSTMENTS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR 1978-79 BY MAKING VARIOUS MID-YEAR SUPPLEMENTAL BUDGET APPROPRIATIONS; APPROPRIATING \$1,359,472.00 FROM THE GENERAL FUND ENDING BALANCE; APPROPRIATING \$6,518,784.00 FROM THE UTILITY FUND; APPROPRIATING \$844,460.00 FROM THE HOSPITAL FUND; APPROPRIATING \$56,247.00 FROM THE AIRPORT FUND; APPROPRIATING \$234,492.00 FROM THE GENERAL FUND ENDING BALANCE TO THE TRANSIT FUND; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council adjusted the 1978-79 Annual Operating Budget as follows:

<u>Department</u>	<u>Budget</u>	<u>Estimated Expenditures</u>	<u>Requested Supplemental</u>
Fire	\$9,784,083	\$10,191,603	\$ 407,520
Engineering	1,397,737	1,695,645	92,000
EMS	2,106,199	2,314,516	208,317
Special Services: City Require- ments	3,930,217	4,275,793	345,576
Public Works*	N/A	N/A	<u>306,059</u>
		General Fund Total	\$1,359,472
<u>Utility Fund</u>			
Electric	\$92,960,272	\$97,571,272	\$4,611,000
Water/ Wastewater	13,018,915	14,926,699	<u>1,907,784</u>
		Utility Fund Total	\$6,518,784
*Public Works requested supplemental is for a step-up in maintenance activity primarily.			
<u>Hospital Fund</u>	\$29,153,755	\$29,998,215	<u>\$ 844,460</u>
		Hospital Fund Total	\$ 844,460
<u>Airport Fund</u>	\$ 1,570,541	\$ 1,626,788	<u>\$ 56,247</u>
		Airport Fund Total	\$ 56,247
<u>Transit Fund</u>	\$ 3,836,168	\$ 4,070,660	<u>\$ 234,492</u>
		Transit Fund Total	\$ 234,492

911 COORDINATION

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1978-79 BY ACCEPTING AND APPROPRIATING \$16,000 FROM THE STATE HEALTH DEPARTMENT FOR THE PURPOSE OF FUNDING A 911 COORDINATOR TO ASSIST IN THE COORDINATION AND TIMELY DEVELOPMENT OF THE 911 SYSTEM; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino

Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 31,500 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 1901-1905 KINNEY AVENUE; FROM "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (O. G. Anderson, C14-79-004)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino

Noes: None

The Mayor announced that the ordinance had been finally passed.

Ordinance 790524-D. F.5

setting bearing for sale of bonds

SALE OF BONDS SET

Mayor McClellan introduced the following ordinance:

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, setting July 19, 1979, 10:30 A.M., CDT, to receive bids on and authorize the issuance of \$45,000,000 City of Austin Utility System Revenue Bonds, Series 6, and \$8,000,000 General Obligation Bonds, Various Purpose, Series 259. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

The Mayor announced that the ordinance had been finally passed.

HEARING ON NON-EMERGENCY AMBULANCE TRANSFER SERVICE

Mayor McClellan opened the public hearing scheduled for 9:30 A.M. on non-emergency ambulance transfer service.

Mr. Bill Bulloch, Director, Emergency Medical Services (EMS) stated that on November 9, 1978, the City Council amended Article V, Chapter 34 of the Austin City Code concerning emergency ambulance and transfer vehicle operation within the City and instructed the staff to proceed with bids for invitation to operate the transfer service within the city. Bids were requested; two were received; both were nonresponsive. Since then, the changes had been reviewed and the following revisions were being proposed by the staff as major changes:

1. Section 34-100 extended the length of contract from one year to a total of five years.

2. Section 34-105 changed the rate schedule from a \$40 to \$45 rate structure depending upon length of trip to a flat \$50 rate structure with a \$5 charge for oxygen.
3. Section 34-112 (Payment to the City) was reduced from \$10,000 annually to \$5,000 maximum annually based on the fiscal note which identified slightly over \$2,000 per year cost for City staff to administer the franchise.

In response to Councilwoman Himmelblau's question, Mr. Bulloch stated that the ordinance, as written allowed an annual review of rates, with the City Council having the authority at any time to adjust rates as seen fit. It was specifically outlined in the ordinance that the franchise permitted only transfer services.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 34 OF THE AUSTIN CITY CODE OF 1967 BY REPEALING ARTICLE V AND IN LIEU THEREOF SUBSTITUTING A NEW ARTICLE V, "EMERGENCY AMBULANCES AND TRANSFER VEHICLES"; PROVIDING FOR A CHANGE IN DEFINITIONS; PROVIDING FOR AREAS COVERED BY THE EMERGENCY SERVICES OF EMS; PROVIDING FOR AN EMS DISPATCHER; PROVIDING FOR PRIVATE SERVICE REGULATION; PROVIDING FOR A FRANCHISE FOR TRANSFER SERVICE; PROVIDING FOR APPLICATION, REVIEW AND HEARING FOR A TRANSFER SERVICE FRANCHISE; PROVIDING FOR ISSUANCE OF A FRANCHISE AND A CONTRACT THEREFORE; PROVIDING FOR QUALIFICATIONS OF DRIVERS AND ATTENDANTS; PROVIDING FOR LIABILITY INSURANCE; PROVIDING FOR APPROVAL OF CHANGE IN OWNERSHIP; PROVIDING FOR INSPECTION OF BOOKS AND RECORDS; PROVIDING FOR A SCHEDULE OF RATES; PROVIDING FOR STANDARDS FOR PERSONNEL, VEHICLES, EQUIPMENT AND INSPECTION OF VEHICLES; PROVIDING A PENALTY; PROVIDING FOR A PERFORMANCE BOND; PROVIDING FOR PAYMENT TO THE CITY; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Cooke moved that the Council close the public hearing, waive the requirement for three readings, and finally pass the ordinance. The motion, seconded by Councilman Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan
Noes: None

The Mayor announced that the ordinance had been finally passed.

DISPOSITION OF PARCEL

The Council had before it consideration of approving the disposition of Parcel R-6-2, Blackshear Project, Tex A-11-2, to Bessie Stewart Cook for \$22,000.

Councilmember Snell asked how the amount of money was determined and if it would be sufficient to relocate the lady, who was blind. Mr. Tom Knickerbocker, Executive Director, Urban Renewal Agency, stated that Mrs. Cook received \$23,552 for her property and was entitled to \$14,595 in relocation benefits, plus moving expenses. Her new home had been tailored to meet her needs.

Councilmember Snell moved that the Council adopt a resolution approving the disposition of Parcel R-6-2, Blackshear Project, Tex A-11-2 to Bessie Stewart Cook for \$22,000. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke

Noes: None

WATER AND WASTEWATER SERVICE TO CITY OF ROLLINGWOOD

The Council had before it for consideration authorizing and amending agreements with the City of Rollingwood to provide water and wastewater service.

Mr. Curtis Johnson, Director, Water and Wastewater Utility, said that he was responding to a staff request for individual customer service in a section of Rollingwood's Extraterritorial Jurisdiction, which abutted the City of Austin in the area of the Bee Caves Woods Subdivision. The City of Rollingwood had agreed to an amendment to the existing water service contract with the City of Austin to allow the setting of an additional water meter on the south side of Bee Caves Road to serve the subject tract. The City of Rollingwood also had agreed to a new wastewater service contract which would service the tract. The contract provided that the City of Rollingwood would be responsible to the individual customer and that City of Austin forces would maintain the local lines serving such customers. Service would be provided based on current outside-the-City rates.

Councilwoman Himmelblau stated that for four years she had taken a firm stand on providing City of Austin services to incorporated municipalities and that she had not changed. She preferred to see an arrangement worked out similar to the one with Boca Chica Apartments, whereby the Apartments stayed in the Westlake Hills area of incorporation but paid City of Austin ad valorem taxes and all fees and charges normally charged to wastewater service customers within the City limits. She felt that a precedent had been set with Boca Chica which was satisfactory to the Council. If such an arrangement could not be worked out, then she would ask that the City of Rollingwood relinquish its jurisdiction so that the subject tract could be annexed by the City of Austin.

Motion

Councilmember Himmelblau moved that the Council instruct the staff to take the time necessary to work out an arrangement similar to the one with Boca Chica Apartments, but to come back with a status report in 30 days. Councilmember Snell seconded the motion.

Mr. Don Bird stated that the City of Rollingwood had already annexed the subject tract of land.

Roll Call on Motion

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman

Noes: None

WASTEWATER SERVICE TO CITY OF SUNSET VALLEY

Mr. Curtis Johnson said that the City of Sunset Valley was asking for an agreement of principle or intent to an agreement that would come at some future point between the City of Austin and the City of Sunset Valley to provide wastewater service to its incorporated area. He did not think that service was imminent. Sunset Valley was applying for a grant to construct a wastewater collection system within its area and needed to know how to proceed from the standpoint of disposal. Sunset Valley was asking to tie into the City of Austin system at some future point, rather than build a package treatment plant.

Councilwoman Himmelblau asked Mr. Johnson to comment on the following paragraph he had listed under City of Austin options:

"Allowing such service would certainly meet the requirements of the dismissal of the 1974 temporary restraining order as well as make available more suitable means of disposing of the sanitary wastes of the urban area. That most definitely could effect the City of Austin, even though the area to be served is not under Austin's jurisdiction."

Mr. Johnson commented that during the construction in 1974 of a wastewater line that generally followed the common city limit line between the City of Austin and Sunset Valley, the latter had obtained a temporary restraining order to stop work on the subject wastewater main. To obtain dismissal of the temporary restraining order, there was general agreement that at some future point, the City of Austin would be agreeable to provide services to Sunset Valley.

In response to questions, Mr. Tom Carlson, representing Carlson, Dipple Engineering, stated that he knew of no other concerns not cleared up with Sunset Valley. The major problem within the area was with septic tanks, which were effecting the wells. He estimated that eventually the area would have 1000 to 1500 homes which needed sewer service.

Councilwoman Himmelblau asked Mr. Johnson how Sunset Valley requirements would effect capacity in the City's line. Mr. Johnson replied that he did not believe that there was any problem with the size of the wastewater mains. Any new pumpage would go into the Williamson Creek Treatment Plant, which presently was being pumped over to the Govalle Treatment Plant.

Motion

Councilwoman Himmelblau moved that the Council deny the request. Mayor Pro Tem Cooke seconded the motion.

The Council then discussed increased capital costs to the City of Austin if the City of Sunset Valley installed only a wastewater collection system and contracted with the City of Austin to handle the waste. Mr. Johnson estimated that it would cost \$15 to \$16 million to upgrade the Govalle Treatment Plant.

Dick Lillie pointed out that if Sunset Valley installed a package treatment plant, it would drain into Williamson Creek. He felt that it was important to try to tie Sunset Valley's collection system into a regional system and that such a tie-in would be reasonable if Sunset Valley could carry the increased capital load to the City of Austin system.

Withdrawal of Motion

After further discussion, Councilwoman Himmelblau withdrew her motion with the understanding that staff would return in two weeks with cost figures relating to Sunset Valley's request to tie in to the City of Austin wastewater system.

EMERGENCY MEDICAL SERVICES STATION LOCATION STUDY

The Council had before it consideration of extending the contractual agreement between the City of Austin and the LBJ School of Public Affairs for completion of an Emergency Medical Services Station Location Study.

Councilwoman Himmelblau asked why there was such delay on the project since it was hoped to have it by this year's capital improvements budget.

Mr. Bill Bulloch said that the delay was due to lack of manpower to compile necessary data and to a series of formatting changes between Data Systems, The University and EMS as far as getting the data into the programs.

Councilwoman Himmelblau moved that the Council adopt a resolution extending the contractual agreement between the City of Austin and the LBJ School of Public Affairs for completion of an Emergency Medical Services Station Location Study. The motion, seconded by Councilman Mullen, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Himmelblau, Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmembers Trevino, Goodman

ZONING HEARINGS

Mayor McClellan announced Council would hear zoning cases scheduled for 10:00 A.M. Pursuant to published notice thereof, the following zoning cases were publicly heard:

D. Y. NICHOLS By Dan Stathos, Jr. C14-79-009	1300 South Congress Avenue, also bounded by James Street	From "C" Commercial 2nd Height and Area To "C-1" Commercial 2nd Height and Area RECOMMENDED by the Planning Commission
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Councilmember Mullen moved that the Council grant "C-1" Commercial, 2nd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Himmelblau, Mullen, Snell
Noes: None
Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "C-1" Commercial, 2nd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 12, 13 AND 14, BLOCK 13, NEWNINGS RESUBDIVISION OF SWISHER ADDITION, LOCALLY KNOWN AS 1300 SOUTH CONGRESS AVENUE, ALSO BOUNDED BY JAMES STREET; FROM "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (D. Y. Nichols, C14-79-009)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance as an emergency measure, effective immediately. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Himmelblau, Mullen, Snell
Noes: None
Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

May 24, 1979

FIRST CITY NATIONAL 8422-8524 Balcones
 OF HOUSTON 3501-3513 Cima
 By Holford and Serena
 Carson
 C14-79-073

From "BB" Residence
 1st Height and Area
 To "O" Office
 1st Height and Area
 RECOMMENDED by the Planning
 Commission

Councilmember Mullen moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
 Cooke, Councilmembers Himmelblau, Mullen, Snell

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

EDWAYNE PREIST- 722 Morrow Street
 MEYER AND JERRY
 HOLLEY
 By G. W. Thompson
 C14-79-075

From "C" Commercial
 1st Height and Area
 To "C-1" Commercial
 1st Height and Area
 RECOMMENDED by the Planning
 Commission

Councilmember Mullen moved that the Council grant "C-1" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
 Cooke, Councilmembers Himmelblau, Mullen, Snell

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "C-1" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

JONAS SILBER- 1213 Parkway
 STEIN, HOWARD
 AND LOIS OKON
 By Charles Marsh
 C14-79-077

From "A" Residence
 1st Height and Area
 To "O" Office
 1st Height and Area
 RECOMMENDED by the Planning
 Commission

May 24, 1979

Councilmember Mullen moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Himmelblau, Mullen, Snell

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

CITY OF AUSTIN
PLANNING DEPARTMENT
C14-79-084

3594-3616 Duval Road

From Interim "AA" Residence
1st Height and Area
To "AA" Residence
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Mullen moved that the Council grant "AA" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Himmelblau, Mullen, Snell

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "AA" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

WALTER ESKEW
By Tom Carlson
C14-79-076

7608-7612 Brodie Lane

From Interim "AA" Residence
1st Height and Area
To "LR" Local Retail
1st Height and Area
RECOMMENDED by the Planning
Commission, subject to the site
plan as submitted.

Councilmember Snell moved that the Council grant "LR" Local Retail, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino

Noes: None

May 24, 1979

The Mayor announced that the change had been granted to "LR" Local Retail, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

SOL SMITH
By Dave Brunovsky
C14-79-085

505-509 West Lynn
1509-1511 West 6th Street
508 Powell

From "B" Residence
2nd Height and Area
To "O" Office
2nd Height and Area
RECOMMENDED (as amended) by
the Planning Commission with a
restrictive covenant as vol-
unteered by the applicant to
limit all structures to a
height no greater than 35 feet.

Councilmember Snell moved that the Council grant "O" Office, 2nd Height and Area District, as recommended by the Planning Commission, as amended, subject to conditions. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

The Mayor announced that the change had been granted to "O" Office, 2nd Height and Area District, as amended, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
AN APPROXIMATELY 36,412 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 505-509 WEST LYNN, 1509-1511 WEST 6TH STREET, AND 508 POWELL; FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "O" OFFICE, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Sol Smith, C14-79-085)

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately, as an emergency measure. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

The Mayor announced that the ordinance had been finally passed.

BRADFIELD,
CUMMINS AND
SHEPHERD
By Bryant-
Curington, Inc.
C14-79-068

9241-9269 Research
Boulevard

From Interim "A" Residence
1st Height and Area
To "DL" Light Industrial
2nd Height and Area
NOT Recommended

RECOMMENDED by the Planning Commission
"DL" Light Industrial, 1st Height and Area
on the southernmost 100 feet fronting on
the access road and "DL" Light Industrial
2nd Height and Area on the remainder.

Councilmember Mullen moved that the Council grant "DL" Light Industrial, 1st Height and Area on the southernmost 100 feet fronting the access road, and "DL" Light Industrial, 2nd Height and Area District on the remainder, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Himmelblau, Mullen,
Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "DL" Light Industrial, 1st Height and Area District on the southernmost 100 feet fronting the access road, and "DL" Light Industrial, 2nd Height and Area District on the remainder, and the City Attorney was instructed to draw the necessary ordinance to cover.

TRAVIS 51, LTD.
By Donald Bird
C14-79-074

7000 Block of Ben
White Boulevard

From Interim "AA" Residence
1st Height and Area
To "DL" Light Industrial
2nd Height and Area
NOT Recommended

RECOMMENDED by the Planning Commission
a 100-foot strip of "A" Residence at the
rear of this tract and 100 feet of "DL"
Light Industrial, 1st Height and Area
around the remaining perimeter; the
interior of the tract to be zoned "DL"
Light Industrial, 2nd Height and Area, all
subject to approval of Planned Development
Area as well as restrictive covenant for
the "C" Commercial use until the P.D.A.
is filed.

Councilmember Mullen moved that the Council grant a 100-foot strip of "A" Residence at the rear of this tract, and 100 feet of "DL" Light Industrial, 1st Height and Area District around the remaining perimeter; the interior of the tract to be zoned "DL" Light Industrial, 2nd Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

May 24, 1979

Ayes: Mayor Pro Tem Cooke, Councilmembers Himmelblau, Mullen,
Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to a 100-foot strip of "A" Residence at the rear of this tract, and 100 feet of "DL" Light Industrial 1st Height and Area District around the remaining perimeter; the interior of the tract to be zoned "DL" Light Industrial, 2nd Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

ODAS JUNG
By Tom Curtis
C14-79-080

6409-6725 Congress Avenue
100 Block East William
Cannon Drive and
6408-6710 Circle S Road

From Interim "A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
NOT Recommended

RECOMMENDED by the Planning Commission
"GR" General Retail up to the "GR" line
on the west and "LR" for the balance of
the tract to the north, with "GR" General
Retail on Tract 2.

Councilmember Mullen moved that the Council grant "GR" General Retail up to the "GR" General Retail line on the west and "LR" for the balance of the tract to the north, with "GR" General Retail on Tract 2, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Himmelblau, Mullen,
Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "GR" General Retail up to the "GR" General Retail line on the west and "LR" for the balance of the tract to the north, with "GR" General Retail on Tract 2, and the City Attorney was instructed to draw the necessary ordinance to cover.

May 24, 1979

ODAS JUNG
By Tom Curtis
C14-79-081

813-1017 Banister Lane
816-1024 West Ben White
Boulevard

From "GR" General Retail and
"C" Commercial (with
restrictive covenant)
1st Height and Area
To "C" Commercial
1st Height and Area
NOT Recommended

RECOMMENDED that a new restrictive covenant for Lots 7 through 13 be applied for a continuance of the present mobile home sales use and converting back to "GR" at the end of that use or five years, whichever is sooner, by the Planning Commission.

Councilmember Mullen moved that the Council grant a new restrictive covenant for Lots 7 through 13 to be applied for a continuance of the present mobile home sales use and converting back to "GR" at the end of that use or five years, whichever is sooner, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Himmelblau, Mullen,
Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to a new restrictive covenant for Lots 7 through 13 to be applied for a continuance of the present mobile home sales use and converting back to "GR" at the end of that use or five years, whichever is sooner, and the City Attorney was instructed to draw the necessary ordinance to cover.

JACK E. AND MARGIE
BUNCH
By Don Fergurson
C14-79-027

501-503 East Rundberg
Lane

From "A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
NOT Recommended

RECOMMENDED by the Planning Commission, "O" Office, 1st Height and Area subject to a restrictive covenant of five-foot landscape buffer on the west and south sides of the tract and that it be restricted by a restrictive covenant as agreed to by the applicant that there will be no apartment uses on the subject tract.

Councilmember Himmelblau moved that the Council grant "O" Office, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

STATE NATIONAL
BANK OF EL PASO,
TRUSTEE AND INDE-
PENDENT EXECUTOR
By Jerry Saegert
C14-77-053

600-604 Davis Street
also bounded by Red
River Street

Revision to restrictive
covenant
RECOMMENDED by the Planning
Commission

Mayor Pro Tem Cooke moved that the Council grant a revision to restrictive covenant, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino

Noes: None

The Mayor announced that the change had been granted of revision to restrictive covenant, and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor McClellan introduced the following ordinance:

ORDINANCE NO. 790524-I

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Part 1. That the City Manager of the City of Austin is hereby authorized to execute on behalf of the City of Austin a document to be filed in the Deed Records of Travis County, Texas, which will modify the document of record in Volume 5871, at Page 2288, of the Deed Records of Travis County, Texas. (C14-77-053)

Mayor Pro Tem Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately, on an emergency basis. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino

Noes: None

The Mayor announced that the ordinance had been finally passed.

May 24, 1979

EARL M. McCLURE, JR. 80 Red River Street
By Forest Cooke
C14-79-065

From "A" Residence
1st Height and Area
To "B" Residence and
"C" Commercial
1st Height and Area
RECOMMENDED (as amended) by
the Planning Commission

Mayor Pro Tem Cooke moved that the Council grant "B" Residence and "C" Commercial, 1st Height and Area District, as amended, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

The Mayor announced that the change had been granted to "B" Residence and "C" Commercial, 1st Height and Area District, as amended, and the City Attorney was instructed to draw the necessary ordinance to cover.

The Mayor introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 2: A 734.5 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 80 RED RIVER STREET; FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Earl M. McClure, Jr., C14-79-065)

Mayor Pro Tem Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance as an emergency measure, effective immediately. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

The Mayor announced that the ordinance had been finally passed.

MESA-TRAILS, INC.
By Bill Carson
C814-79-002

7901-7921 Mesa Drive
4000 Block Myrick Drive

A 47-unit zero lot-line
Planned Unit Development
called "MESA TRAILS"
RECOMMENDED by the Planning
Commission

Councilmember Mullen moved that the Council grant a 47-unit zero lot-line Planned Unit Development, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Mullen, Snell

Noes: None

Not in Council Chamber when roll was called: Councilmember Himmelblau

The Mayor announced that the change had been granted to a 47-unit zero lot-line Planned Unit Development, and the City Attorney was instructed to draw the necessary ordinance to cover.

JONES-PREWITT CO.
By Edwin Prewitt,
Jr.
C814-78-008

4206 Steck Avenue

A 19-unit residential Planned
Unit Development called
"ALTA VISTA"
RECOMMENDED by the Planning
Commission

Councilmember Mullen moved that the Council grant a 19-unit residential Planned Unit Development, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Mullen, Snell

Noes: None

Not in Council Chamber when roll was called: Councilmember Himmelblau

The Mayor announced that the change had been granted to a 19-unit residential Planned Unit Development, and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 BY PERMITTING "ALTA VISTA" LOCATED AT 4206 STECK AVENUE TO BE USED FOR A PLANNED UNIT DEVELOPMENT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Jones-Prewitt Company, C814-78-008)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Mullen, Snell
Noes: None
Not in Council Chamber when roll was called: Councilmember Himmelblau

The Mayor announced that the ordinance had been finally passed.

ALLEN R. RUNDELL
By W. T. Carson
C814-78-005

3901-3913 Steck Avenue
8001-8101 Kerith Dale
4100-4124 Spicewood
Springs Road

From Interim "A" Residence
1st Height and Area
To a residential Planned Unit
Development called "THE
WOODLANDS"
RECOMMENDED by the Planning
Commission

Councilmember Mullen moved that the Council grant a residential Planned Unit Development, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Mullen, Snell
Noes: None
Not in Council Chamber when roll was called: Councilmember Himmelblau

The Mayor announced that the change had been granted to a residential Planned Unit Development, and the City Attorney was instructed to draw the necessary ordinance to cover.

V & M INVESTMENTS
By Richard Hardin
C14-79-072

706, 706-1/2 and a
portion of 708 West
23rd Street

From "B" Residence
1st Height and Area
To "O" Office
1st Height and Area
RECOMMENDED by the Planning
Commission

Mr. Lillie reviewed the zoning application by use of slides. The purpose of the request for a zoning change is to provide overflow parking for apartments.

The applicant, RICHARD HARDIN, appeared before Council and said he has a contract to buy the land under question in order to accommodate the overflow in parking from the Garden Gate Apartments. He said he has the support of the Save Our University Neighborhood group.

MIKE McHONE, property owner in the area, spoke against the zoning request. He felt the zoning parking area would cause a traffic problem and that any overflow of cars could be handled by the parking garage which is already there. He pointed out that the zoning change would go with the land and if there was no longer parking at some future date, the land would be zoned "O" Office and that would be bad.

Stephen Deutschman appeared in favor of the additional parking space. He felt there was congestion there now and this will help the overflow.

Richard Hardin returned to say he is trying to prevent the problems Mr. McHone brought out.

Councilmember Mullen moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

MRS. SUE I.
REASONER
By Elaine Brooks
C14-79-078

2406 Bluebonnet

From "C" Commercial and
"A" Residence

1st Height and Area

To "C" Commercial and
"O" Office

1st Height and Area

NOT Recommended

RECOMMENDED by the Planning Commission "O" Office, 1st Height and Area with a five-foot strip of "A" Residence and fence on the north and west boundaries of this tract to buffer the existing residential uses subject to the site plan being approved by the Planning Commission as had been agreed to by the applicant.

Mr. Lillie reviewed the zoning application by use of slides. Councilmember Himmelblau asked what this would do to the residential neighborhood that sits right behind it with just that small amount of buffering. He said there also will be a five-foot fence and the site plan will encourage that any buildings placed on the property not be on the common property line but on the south line instead.

JOE GILBREATH, the applicant, stated that everything on the east side of the property is in bad condition and everything on the west side is in good condition..a very nice residential neighborhood. He said he did not think the zoning would effect the adjoining property.

Councilmember Himmelblau moved that the Council grant "O" Office, 1st Height and Area District with a five-foot strip of "A" Residence and fence on the north and west boundaries of this tract, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

May 24, 1979

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem
Cooke, Councilmember Goodman

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District with a five-foot strip of "A" Residence and fence on the north and west boundaries of this tract, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

FRANKIE R. MELDER 1107 Edgewood
By Tom Curtis
C14-79-082

From "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
NOT Recommended
RECOMMENDED by the Planning
Commission "O" Office, 1st
Height and Area with a five-
foot strip of "A" Residence
at the north portion of the lot
fronting Edgewood

Mr. Lillie reviewed the application by use of slides. TOM CURTIS, representing the applicant, appeared before Council and said that the owner had found the property owners in the neighborhood to be generally in favor of the zoning change.

Councilmember Himmelblau moved that the Council grant "O" Office, 1st Height and Area District with a five-foot strip of "A" Residence at the north portion of the lot fronting Edgewood. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmember Himmelblau

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Cooke,
Councilmember Goodman

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District with a five-foot strip of "A" Residence at the north portion of the lot fronting Edgewood, and the City Attorney was instructed to draw the necessary ordinance to cover.

May 24, 1979

KNIGHTS OF
COLUMBUS HOME
ASSOCIATION
By Jeryl D. Hart
and Don Bird
C14-79-042

2305-2333 Columbus Drive

From Interim "A" Residence
1st Height and Area
To "C-2" Commercial,
1st Height and Area (Tract 4)
and "O" Office, 1st Height
and Area (Tracts 1, 2 & 3)
NOT Recommended

RECOMMENDED by the Planning Commission
"AA" Residence with a 30-foot conserva-
tion easement on the southernmost 30
feet of the subject property.

Mr. Lillie reviewed the application by use of slides. Mayor Pro Tem Cooke asked if the land adjacent to Barton Creek is private property or park property. Mr. Lillie answered that it is City property.

MR. DON BIRD, representing the applicant, said the Knights of Columbus have owned the land for 20 years. Four years ago the land was annexed and has been appraised at \$40,000 an acre as commercial land. As a result, the Knights of Columbus want to do something with it so they can pay their taxes. He asked that they be treated in a manner similar to the tracts around them and be allowed to place 15 units, which was the staff recommendation, in "BB" Residence zoning. They are agreeable to the 30 foot set-back. This is the lightest possible multi-family dwelling request that they could possibly make. Councilmember Himmelblau asked if they had considered "A" Residence and coming in with a Planned Unit Development (PUD) where the roads would be smaller and less degradation of the land. Mr. Bird answered that with "BB" they can design it in such a manner that they do not need a lot of roads.

Councilmember Himmelblau asked, "If we would go with "A" with a site plan and with a PUD, what sort of density would we be looking at and what could they achieve with the land?" Mr. Lillie answered, "Depending on the lay-out of the tract, which is very heavily treed, it's possible to get ten to 12 units per acre in a PUD. Ten units per acre is fairly high density for a PUD." Councilmember Himmelblau said she knows the Knights of Columbus need to have some use of the property and she is leaning more toward "A" with a site plan. Mr. Lillie stated, "If it were left "A" they could use it for single-family detached, a duplex subdivision which could achieve up to ten units per acre depending on the lay out. It could be town house by special permit. The streets would have to be public with that, as well as duplexes. A PUD with private streets which could be basically driveways, like in apartment projects, could be done. They don't have to be 50 feet of right-of-way or 30 feet of paving. They can be much less than that. And the septic tanks are much less than that. Councilmember Himmelblau asked, "Would it be confiscatory to zone it "A" subject to a PUD and site plan and limit the density to 6 or 7 units per acre?" Mr. Lillie answered that this would leave a reasonable use to the property.

NORMAN BROWN, President, Barton Hills Horseshoe Bend Neighborhood Association, appeared to say they are in favor of "AA" and against "O" Office zoning which would allow apartments and offices. Their concerns are: (1) water pollution, (2) removal of trees, (3) erosion through the Girl Scout Camp, (4) increased traffic on Columbus Road which would be hazardous to children, (5) commercial encroachment on Barton Creek. He asked Council to grant "AA" with a 30-foot conservation easement.

MS. JINX FOWLER, Girl Scout Council, discussed the Girl Scout camp which is adjacent to subject property. She said that drainage from surrounding areas is a problem the camp has, and asked the Council to keep it in mind in their decision on zoning.

MRS. DOROTHY RICHTER told Council to study what development will do to Barton Pool.

MRS. BARBARA NOBLES, Austin League of Women Voters, stated they are in favor of the Planning Commission's recommendation for "AA" Residence.

MRS. MARILYN SIMPSON, President, Austin Neighborhood Association, said they are in favor of "AA" Residence zoning.

MS. MARJORIE MCKEE, who lives near the park, said the Bee Caves traffic situation is already bad and "BB" Residence would increase congestion. She recommending the granting of "AA" Residence until the Barton Creek study recommendations are complete.

Council asked Mr. Bird to describe the site plan. He said there would be a 30-foot set back along the Girl Scout camp line. A series of six or seven duplex units are planned along the lower level and will not be an intrusion on the adjoining use. The interior will have connected units of four-plexes and three-plexes. This would be within their request of "BB" Residence with 15 units. Councilmember Goodman said this would mean 90 units and 156 parking spaces in the heart of Zilker Park. Mr. Bird answered this would be the minimum number under "BB" Residence, and they need "BB" with a special permit in order to put a number of units together into a single building.

Councilmember Goodman asked, "What could be built under "A" with a Special Permit?" Mr. Lillie answered, "A town house development with ten units per acre, which would be 60 for this tract. A PUD can be approved by Special Permit with about ten units per acre also. There is also a provision in the ordinance that if it is zoned "A" and adjacent to "BB" or more permissive zoning, and in this case it is adjacent to "O" Office that the applicant could, by Special Permit, put in "BB" uses if it is adjacent to a tract of two acres or more of more permissive zoning and if itself is on a tract of an acre or more, by Special Permit approval which can be appealed on to Council."

Councilmember Himmelblau said, "I do not support the "BB" Residence zoning, but I think the "AA" Residence constitutes a roll back from the Interim "A" that was there. I don't know quite how to phrase it to protect the property and yet give some usage of the land. I don't know if it should be zoned "A" subject to a site plan or subject to a PUD development." Mr. Lillie stated, "In the four residential options under "A", two of them require Special Permit. Those are townhomes in a Planned Unit Development, or cluster housing project. Two do not ...one is single-family detached housing or a duplex subdivision. And the first two are subject to subdivision." Councilmember Himmelblau asked if whatever they did would be a short form subdivision. Mr. Lillie answered, "No, if it were a single-family subdivision it is a long form because it requires street dedication and street standards." Mrs. Himmelblau asked if this could be tied to a site plan that would come back to Council. Mr. Lillie said it could.

Motion

Councilmember Himmelblau moved that the Council grant "A" Residence zoning subject to 30 feet of conservation easement on the southernmost 30 feet of subject property, tied to a site plan to be reviewed and approved by the Planning Commission and Council. The motion was seconded by Councilmember Mullen.

Substitute Motion - Failed

Councilmember Trevino made a substitute motion to accept the recommendation of the Planning Commission. The substitute motion, seconded by Mayor Pro Tem Goodman, failed to carry by the following vote:

Ayes: Councilmembers Trevino, Goodman, Snell
 Noes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Himmelblau, Mullen

Roll Call on Original Motion

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Himmelblau, Mullen
 Noes: Councilmembers Snell, Trevino, Goodman

The Mayor announced that the change had been granted to "A" Residence zoning, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

JUDGE SEBRON
 SNEED HOME
 By Mrs. E. C
 Chamness
 C14h-77-011

1703 North Bluff Drive

From Interim "A" Residence
 1st Height and Area
 To Interim "A-H" Residence-
 Historic
 1st Height and Area
 RECOMMENDED by the Planning
 Commission

(Heard during afternoon recessed meeting)
 (Transcript of hearing on file in City Clerk's Office.)

Mr. Lillie reviewed the application by use of slides. He stated the applicant, Mrs. Chamness, is the great-great-granddaughter of Judge Sneed. Construction on the home began in 1854. It was designed by Abner Cooke and built by slaves. The Sneed family cemetery is one of the oldest family cemeteries in the city. Of approximately 200 structures reviewed by the Landmark Commission in five years, this is only the third structure that meets all 13 of the criteria. The Landmark Commission unanimously recommended the structure and cemetery for Historic zoning and the Planning Commission recommended Historic zoning on a vote of 5-2.

BLAKE ALEXANDER, representing the Historic Landmark Commission, called this one of Austin's great houses. It is Greek Revival in style and has a character that is far more in the mainstream of the mid-19th Century mansions of the United States. "I think it is of national significance and the fact that the Landmark Commission saw that it met all of the criteria is an indication of the importance we attach to this house."

ADRIAN OVERSTREET, attorney for the applicant, who is not the owner of the house, appeared before Council. He explained about the title of the house which has been clouded. The last owner was a lady named Virgia Lo Cage who is currently non compos in an Austin rest home. She gave the unrecorded deed to the present owners about 6 years ago. Her estate sued to gain title to the property. This litigation was settled with a judgment signed by a District Court in Travis County, which provides that the property will be sold in about 60 days at a Sheriff's sale unless a large sum of money in the mid-\$150,000 range is paid to the estate of Mrs. Cage for her care. If the money is not forthcoming, the property will be sold either at a Sheriff's sale or some other form of execution sale in order to satisfy the needs of Mrs. Cage. He urged the Council to grant Historic zoning before the sale of the house transpires.

MRS. E. C. CHAMNESS, the applicant, appeared before Council and reviewed the history of the house, and urged serious consideration by Council toward Historic preservation of the house.

MS. MARGARET CASHIN, sister of Mrs. Chamness, appeared before Council and urged them to grant Historic designation to the house.

MS. ADA SIMMONS, representing the W. H. Passon Historical Society, asked Council to give serious consideration to the request because the house represents the way in which Black people contributed to the culture of Austin. She pointed out that slaves built the house and quarried the rocks from the site where the house was built.

ODAS JUNG appeared before Council to say he has worked on the house to keep it in repair for over 40 years. He discussed the architectural features that should be saved by zoning the house Historic.

INA RAE SMITH, Vice-Chairman of the Travis County Historical Commission, read a resolution to Council which was signed by members of the Commission. The resolution urged Council to zone the house Historic.

MRS. ODAS JUNG, great-niece of Calvin Hughes who owned the house from 1922 until he died in 1957, (his daughter inherited the house when he died) appeared before Council recommending them to zone the house Historic.

MS. CATHERINE BOLLS, second cousin to Virgia Lo Cage spoke in favor of zoning the house Historic.

Mayor McClellan told Council that there is a valid petition against the Historic zoning.

FORREST TROUTMAN, attorney for the applicant, spoke in opposition to Historic zoning for the Judge Sebron Sneed home. He said the house is in deplorable condition and it would take an excess of \$200,000 to restore the 6,000 square foot home. He pointed out that "on Thursday of last week the Tyler Court of Civil Appeals declared a section of the Historical Ordinance unconstitutional..Section 45-51.1. Now it seems to me that in this case, if the Council goes ahead and passes this ordinance that you are right back in Court as to where you were with the Driskill Hotel." He quoted from the opinion of the Court and said it seemed to him the proper thing to do is wait and see what happens in the case cited before deciding to zone the Sneed house Historic. He went on to say there is no provision made in the Landmark Commission or the City Council to pay the owners if their property is taken as Historic; and there is no provision in there that provides where the \$200,000 plus is going to come from to restore the property. He said the City Attorney needs to look at the case and reach a decision as to what they are going to do about the Tyler Court of Appeals opinion, whether or not they are going to the Supreme Court, or let it become law.

SHEILA FINNERAN, Assistant City Attorney, stated, "We have not met with the other attorneys that are involved in this case, or with the Council as to whether or not the decision should be appealed but it is our opinion that the Section of the Ordinance that the Court of Civil Appeals was speaking to did not involve this case now before the Council. We are at a different stage of the proceedings, and so we feel that the Council is within its legal authority to proceed with the zoning of this property, if you choose to, but of course you can postpone a case just like any other, if that's your choice; however, we don't believe it is legally required that you postpone it." Mayor McClellan asked her to explain Section 45-51.1. Miss Finneran replied, "That section says that once an item is placed on the agenda of the Landmark Commission, you cannot demolish it or build or do things without a permit once it is placed on the agenda, and so we are of the opinion whether or not that section was in the ordinance, or was valid or invalid, this property would still have been placed on the Landmark Agenda and would still be here at this point, and that's why we think the Council can proceed with the zoning." Mr. Troutman did not agree with her interpretation. Councilmember Mullen interceded that since there is discrepancy among attorney's interpretation, the zoning should be postponed until the legal interpretations are finalized. He asked if there could be a firm agreement with the owner that the house will not be demolished prior to the finalizing of the case in question. Mr. Troutman answered that the present owner of the property, MR. KARCHER, would be in favor of such an agreement in the form of a letter drawn by the City Attorney's staff.

Mr. Overstreet returned to the podium, stated he trusts Mr. Troutman, but cannot say he has the same feelings about whoever might purchase the property and that a letter is not a binding obligation. He felt the building should be zoned Historic so that it may be preserved.

After further discussion, the following motion was made:

Councilmember Trevino moved that the Council accept findings of fact A, B, C, D, E, F, G, H, I, J, K, L, M, and grant "A-H" Residence-Historic, 1st Height and Area District, as recommended by the Planning Commission, to the Judge Sebron Sneed Home, 1703 North Bluff Drive. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell, Trevino
Noes: Councilmember Mullen

The Mayor announced that the change had been granted to "A-H" Residence-Historic, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

JILES JACKSON
C14-78-229

11935 Arabian Trail
also bounded by Bell
Avenue

From "AA" Residence
1st Height and Area
To "O" Office
1st Height and Area
NOT Recommended by the Planning
Commission

Applicant is agreeable to the zoning change granted.

Councilmember Mullen moved that the Council grant "A" Residence, 1st Height and Area, with restrictive covenant of one duplex per lot. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

The Mayor announced that the change had been granted to "A" Residence, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

GERMAN-AMERICAN
LADIES' COLLEGE
By City of Austin
C14h-79-009

1604 East 11th Street

From "B" Residence
2nd Height and Area
To "B-H" Residence-Historic
2nd Height and Area
RECOMMENDED by the Planning
Commission

(Heard in the afternoon)

ADA SIMON appeared before Council to urge them to grant "H" zoning.

EVA MARIE MOSEBY also appeared in favor of "H" zoning.

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SUZANNE SMITH SANDERS, who said she has researched the history, appeared in favor of "H" zoning.

INA RAE SMITH stated her preference for "H" zoning.

Councilmember Trevino moved that the Council accept the findings of fact A, D, G, H, I, K, M and grant "B-H" Residence-Historic, 2nd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
 Noes: None

The Mayor announced that the change had been granted to "B-H" Residence-Historic, 2nd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

Zoning Case Sent Back to Planning Commission

LISELOTTE L. GAMBILL By William Brooks C14-79-069	2022-2026 Ben White Boulevard 2023-2027 Ivy Trail	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area NOT Recommended RECOMMENDED by the Planning Commission "A" Residence, 1st Height and Area
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MS. LISELOTTE GAMBILL appeared before Council after Mr. Lillie reviewed the application by use of slides. She said the property next to hers has been filed for re-zoning and she would like her application sent back to the Planning Commission so she might join with them.

CHARLES HOLT, 2028 Ivy Trail, appeared to oppose Ms. Gambill's request for a zoning change.

Councilmember Trevino moved that the Council send the zoning application back to the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke
 Noes: None

The Mayor announced that the zoning application had been sent back to the Planning Commission.

Zoning Cases Withdrawn

EVERETT R. MOORE
C14-79-067

5212 Huisache

From "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
NOT Recommended by the Planning
Commission

Councilmember Himmelblau moved that the Council allow the applicant to withdraw the zoning case. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke
Noes: None
Not in Council Chamber when roll was called: Councilmember
Goodman

The Mayor announced that the zoning case had been withdrawn.

McGARY-THIELE
HOUSE
By City of Austin
C14h-79-003

4712 Bull Creek Road

From "A" Residence
1st Height and Area
To "A-H" Residence-Historic
1st Height and Area
RECOMMENDED by the Planning
Commission

(Heard during afternoon recessed meeting.)

Mr. Lillie reviewed the application by use of slides.

MR. ALEXANDER BLAKE, representing the Landmark Commission, told Council that this house is not one of the great ones, but represents the type built in Austin prior to the Civil War.

Mayor McClellan informed Council that there is a valid petition.

PHILIP CREER, Historic Landmark Commission, appeared to speak in favor of the preservation of the house. He said several local architects are willing to work with the Highland Village Church of Christ, owners of the property, on the restoration of the house. The Allandale Neighborhood Association, who is also behind the preservation of the house has requested a period of 60-90 days to work with the church.

MS. DOROTHY RICHTER appeared before Council representing Helen S. Hill, Secretary of the Rosedale Neighborhood Association. She read a letter from Ms. Hill as follows: "I am writing to express the consensus of the Rosedale Neighborhood Association Steering Committee to be in favor of granting historical zoning for the McGary-Thiele House in order to preserve it. The house meets more than most of the criteria for historic zoning. It is in a well-preserved condition and can be easily viewed by passing traffic in the area immediately adjacent to the Rosedale Neighborhood Association's boundaries.

MS. ADA SIMON, representing the W. H. Passon Historical Society, appeared before Council, stating the house was an example of slave labor used for building, and thought the house should be preserved.

JAMES D. SCOTT, Trustee, Highland Village Church of Christ, spoke against historical zoning. He said they had purchased the property and restored the building for their use. It would be too costly to maintain it under "H" zoning. Councilmember Himmelblau asked if they had given any thought to moving the building to the far corner of the property, because it will be in the way of the church's contemplated expansion. Mr. Scott said they have not studied that idea.

WINFRED GUSTAFSON, an architect and member of the church, appeared before Council to report the building is in a sad state of repair and the church is not financially able to maintain it. He suggested the building could be sold and moved.

DON CLANTELL, member of the Board of Trustees, appeared before Council and listed four reasons why the church objects to "H" Historic zoning:

1. "H" zoning would prevent the ability of the church to obtain future financing they will need.
2. "H" zoning would destroy their option of being able to build new classroom facilities.
3. The zoning change is opposed by all members whose signatures are on the petition presented to Council as well as friends and associates of the church.
4. The church has demonstrated good faith by keeping the building in use as a classroom and a kitchen.

Councilmember Mullen thought a restrictive covenant to the zoning such as the one attached to the American Legion building would be the best solution.

Motion

Councilmember Mullen moved that the Council continue "A" zoning, with a restrictive covenant that if the church ever decides to sell or demolish the McGary-Thiele House, Council shall receive notice of such action 120 days prior to doing so. The motion was seconded by Councilmember Snell.

Councilmember Himmelblau asked if the church would look into moving the house to the extreme rear of the property. She said there could be variances.

Blake Alexander returned to tell more about the background of the house and to urge, again, the property be zoned "H" Historic. He said the Historical Landmark Commission would be amenable to a postponement while the owners discuss their alternatives. Mr. Alexander also stated the Landmark Commission would rather withdraw its request for "H" Historic zoning than have the restrictive covenant of Councilmember Mullen's motion. He said such a covenant weakens the Historic Zoning Ordinance.

Councilmember Mullen expressed his concern of confiscation without compensation as occurs in historic zoning. He said he thinks there should be some method for the City to fund houses zoned "H" Historic if the owners are not the applicants.

Mr. Alexander reiterated his request to withdraw petition for "H" zoning. Councilmember Mullen pointed out that this is the first time withdrawal in a historic zoning case has been requested by the applicant. Mayor McClellan addressed members of the Landmark Commission in the audience and asked if they were unanimous in their request for withdrawal. They signified "yes." Mr. Alexander stated they wished to see the ordinance followed or not at all.

Substitute Motion

Councilmember Snell moved that the Council allow the applicant to withdraw the request for a zoning change. The motion seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan,
Mayor Pro Tem Cooke

Noes: Councilmembers Goodman, Trevino

The Mayor announced that the zoning case had been withdrawn.

RECESS

Council recessed its meeting at 12:05 P.M. for lunch and an Executive Session at 1:30 P.M. Council resumed its recessed meeting at 2:15 P.M.

MAYOR AND COUNCIL SALARY AND BENEFITS

Councilmember Mullen introduced an item to Council to consider an ordinance establishing procedure for changing Mayor and Council salary and benefits. He read an ordinance which would call for the vote of 2/3 of the Council and approved by the Electorate at a regular or special election in order to change the salaries of Mayor and Council.

Motion - Died for Lack of a Second

Councilmember Mullen moved that the Council approve an ordinance establishing procedure for changing Mayor and Council salary and benefits. There was no second and the motion died for lack of a second.

Councilmember Mullen stated: "I will try again some other way, as I did with the travel allowance until we become responsible and responsive to the voters on this issue, too."

TIME TABLE - BOND ELECTION REFERENDUM

Councilmembers Himmelblau, Snell and Goodman introduced an item to Council concerning the timetable for option on bond election/referendum. Mr. Jim Miller, Assistant City Manager, told Council optional timetables will be presented to them at the May 31, 1979 meeting of Council.

WATER SKI SLALOM COURSE ON LAKE LONG

DR. DAVID CORNWALL, President, University of Texas Ski Team, appeared before Council to request permission to install a regulation slalom course on the far east side of the dam on Lake Walter E. Long. He requested the Council to waive the license fee.

Councilmember Himmelblau moved that the Council approve the installation of a regulation slalom course on the far east side of the dam on Lake Walter E. Long; University of Texas Water Ski Team to go back to Parks Board regarding their request for waiver of the license fee. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor
Pro Tem Cooke, Councilmembers Himmelblau, Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

CITIZEN COMMUNICATION - NOT ON AGENDA

Mayor McClellan told Council that PHIL CONARD had a request of Council. Since he is not on the agenda, Council may listen, but may take no action. Mr. Conard said there will be a Human Rights Festival, Saturday, on Auditorium Shores. His concern was the selling of beer which a local beer distributor wanted to have at the festival in return for providing them with a better sound system and help with clean-up duties. Mr. Ehrler said that in the provision for the festival it was understood the beer would be available through donation. Council unanimously decided no action would be needed by them at any time concerning Mr. Conard's request.

INTERIM REPORT ON COMPREHENSIVE PLAN

MR. JIM WELLS, Chairperson, Austin Tomorrow Ongoing Committee, presented the 1978 Interim Report on the Comprehensive Plan. Council received the report.

UMTA 1977 CAPITAL ASSISTANCE GRANT

Mayor McClellan opened the public hearing scheduled for 11:00 A.M. on the Urban Mass Transportation Administration (UMTA) 1977 Capital Assistance Grant Project TX-05-0023 in the amount of \$1,250,000.

Mr. Joe Ternus, Director, Urban Transportation Department, stated that the project was a Section 3 Capital Assistance Grant from the Urban Mass Transportation Administration for the transit system's administration and maintenance facility expansion to include three fully accessible busses, special transit service, communication equipment, bus stop shelters and one service truck.

In response to Councilwoman Himmelblau's questions, Mr. Ternus stated that a statement of impact on the operating budget had been submitted to the Council at the time the grant application was submitted. The subject grant and one other grant had been authorized to proceed subject to an approved long range transportation plan and to an approved TSM element. The City would not be eligible for any additional transit funding in FY 79-80 until that plan had been approved. One of the three buses included in the grant would be used for the special transit service program and the other two would be used out of the terminal operation in the neighborhoods for feeder service.

MR. WOODROW SLEDGE stated that things had been so bad that anything was bound to help. He asked the Council not to stimulate growth politically.

Mayor Pro Tem Cooke moved that the Council close the hearing and authorize the City Manager to proceed with the grant project. The motion, seconded by Councilwoman Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Himmelblau, Snell

Noes: None

Not in Council Chamber when roll was called: Councilmembers Goodman, Mullen

ALL-WAY STOP - CLAWSON ROAD AND SOUTHGATE CIRCLE

Joe Ternus, Director of Urban Transportation, referred to the report Council received on the all-way stop at Clawson Road and Southgate Circle. He said everything is proceeding on schedule. Council received the report.

1978-79 PAVING AND RESURFACING PROGRAM

Mr. John German, Director of Public Works, presented a report on the Public Works 1978-79 Paving and Resurfacing Program as follows:

"During the period from December 1, 1978, to April 1, 1979, we repaired over 24,000 potholes at a total cost of \$432,000. This has merely filled the holes, and has not provided a permanent solution to the street maintenance problem. It will take at least two more months to eliminate the backlog in pothole repairs. If no action is taken, expenditures of this amount or more will be required next winter, and each winter thereafter, just to fill potholes or repair pavement failures. We must take steps to protect our 1/2 billion dollar investment in the City's street system in order to avoid higher maintenance costs in the future.

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"As a result of the severe winter, eleven miles of street must be totally reconstructed just to make the streets passable for safe travel. Streets include Kramer Lane, Brodie Lane, Walsh Tarlton, and Spicewood Springs Road. These are substandard streets originally built to County standards and then annexed by the City. They were not designed or constructed to withstand the high traffic volumes associated with urban development.

"Attached for your review is the proposed 1979 Street Resurfacing Program. It identifies a total of 142.66 miles of resurfacing and reconstruction which needs to be accomplished this year. This is based upon a recently completed inventory of every street in the City. The program includes a total of 92 miles of seal coating, (almost 250 miles had been recommended), 40.67 miles of overlay, 2.88 miles of repaving, 2.96 miles of base reconstruction, and 4.15 miles of "squirt top" paving. Completion of the program will require approximately \$2,649,683, which is \$306,059 more than is currently funded. The approved operating budget provides funding for approximately 70 miles of resurfacing work this year.

"On the average, potholes cost the City of Austin \$18.00 per square yard to repair. This does not include the cost our citizens experience due to inconvenience, damage to automobiles and tires, and even accidents. Pothole repairs can also be a non-productive activity, since a new pothole often develops in the proximity of the previous pothole. Each time the potholes are patched the street must be blocked or restricted for the repair, and additional material must be used which could have been utilized more effectively for resurfacing.

"Street and Bridge Division forces can seal coat City streets for about \$0.45 per square yard. In most cases sealcoating will prevent moisture from penetrating into the base and thus will eliminate the need for additional maintenance for about five years. In the event the street has deteriorated beyond the point that a seal coat can be effective, a hot mix asphalt overlay can often salvage the base and paving. An overlay is more expensive, costing anywhere from \$1.50 to \$2.00 per square yard, depending upon the thickness of the overlay. "Repaving," a modification of this method which has proven to be less expensive than an overlay of similar thickness, can be contracted at a cost of approximately \$1.65 per square yard.

"If the pavement has been neglected to the point where the base begins to fail, total reconstruction is necessary. This is the most expensive maintenance treatment of all and can cost from \$4.00 per square yard to as much as \$8.00 per square yard, depending on the particular base and paving design involved. It is important therefore to resurface streets as soon as possible after the early signs of cracking or failure become evident. The longer the resurfacing is postponed the more costly it will be to restore the paving and the more maintenance dollars must be expended for pothole patching. Eventually, CIP funds will have to be provided for total reconstruction.

"It is also important to emphasize that this is not a one-time problem. Our recently completed street inventory and projected five-year street maintenance plan indicates that about 750 miles of street, or 150 to 200 miles per year, must be resurfaced during each of the next five years to adequately protect the City's investment. Additional streets may begin to show signs of deterioration before that five-year period is over.

"As stated, the 1979 Street Resurfacing Program will cost \$2,649,683. A portion of this year's program can be accomplished utilizing CIP funds approved in FY 1978-79 for overlay, street reconstruction, and CDB reconstruction. These CIP (Capital Improvement Program) funds total \$620,000. In addition, a total of \$800,000 is available for this purpose in the current Street and Bridge Division operating budget. Since this proposed maintenance program extends through November, 1979, an amount anticipated to be \$200,000 is available from the 1979-80 operating budget. Also, CIP funds amounting to \$420,000 are available in FY 1979-80 for overlay and street reconstruction. Additionally, \$303,624 will be transferred from General Revenue Sharing money. The available funds total \$2,303,624. The remaining \$306,059 must be appropriated either from general fund or the CIP, or a combination of these two sources.

Summary of Funds Available

1. Total cost of 1979 program	\$2,649,683.00
2. Available FY 1978-79 Bond Funds	(620,000.00)
3. Available FY 1979-80 Bond Funds	(420,000.00)
4. Available FY 1978-79 Operating Budget	(800,000.00)
5. Available FY 1979-80 Operating Budget	(200,000.00)
6. Available General Revenue Sharing street funds	(303,624.00)

Additional Funds Required \$ 306,059.00

"The resurfacing work can be accomplished through a combination of contractors and City forces. Contractors would perform the more permanent CIP-related work (\$1,040,000), while the seal coating work and improvements to substandard streets will be handled by Street and Bridge Division crews (\$1,609,683). All available Street and Bridge Division personnel and equipment would be used for this effort, necessitating a considerable reduction in the Drainage Maintenance Programs for the remainder of this fiscal year. In addition, it will be necessary to rent equipment, such as a laydown machine and several large dump trucks with operators and drivers. The additional funding for Street and Bridge Division should consist of \$100,000.00 for overtime and temporary employees and \$100,000.00 for equipment rental, and the remaining \$429,683.00 should be appropriated for materials.

"We are currently reorganizing and taking other measures to ensure that the Street and Bridge Division will be able to meet the goals which have been set. Resurfacing of 142 miles of City streets will greatly enhance the quality and safety of our City, and will be compatible with the City

Council goal to 'improve street maintenance.' We intend to make every effort to reach this goal, and we ask your support in securing the additional funding to proceed. We will also need to sustain this level of funding in the operating budget for FY 1979-80.

"The most efficient expenditure of available funds is for preventive maintenance as I am recommending. For example, streets can be seal coated at a cost of \$0.45 per square yard, overlaid for \$2.00 per square yard, totally reconstructed for \$8.00 per square yard, or 'potholed' for \$18.00 per square yard. I am convinced that we can increase the life expectancy of our streets and reduce the number of street failures in further years by implementing this important street resurfacing program."

Mayor Pro Tem Cooke said, "You're asking for \$200,000 from the budget that we haven't seen yet." Mr. German said that is in anticipation and Mr. Cooke expressed reluctance to make any kind of a commitment until Council has seen the budget. Mr. German said that if monies are not available in that budget, they just will not spend those funds. "We will cut the program short by that amount but we would anticipate that at least that amount of money would be available." Mayor Pro Tem Cooke asked about the reallocation of \$330,000 for the project. Mr. German told him that money is left over from old or completed projects; revenue sharing funds where projects came in under cost and where some money was undirected. Mr. Cooke asked him what dates would be included for the project. Mr. German told him from now through November...that's when the weather will be good for paving, and that is why the project is projected into next year's budget.

Mayor Pro Tem Cooke moved that the Council approve the Public Works 1978-79 Paving and Resurfacing Program with an analysis in September of how \$200,000 of next year's budget for the program will be re-programmed. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Himmelblau, Mullen, Snell

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

REPORT ON SOUTH TEXAS PROJECT

Mr. R. L. Hancock, Director of Electric Utility, presented the following monthly summary report on the South Texas Project:

"Civil and structural work continues to be the main activity of construction at the STP (South Texas Project) with some mechanical and electrical work being done in various areas.

"A total of 11,661 cubic yards of concrete was placed during the month, bringing the total amount of concrete placed to date to 351,786 cubic yards. A total of 25,961 cubic yards of fill material was placed on embankments during the month, bringing the total amount placed on the embankment to 21,210,987 cubic yards. A total of 22,482 cubic yards of soil cement was placed on embankments during the month, bringing the total placed to date to 1,106,907 cubic yards.

"The polar crane is now in place. The electric bus work for this crane has been installed and electrical hook-up work is nearing completion. Testing of various modes of operation of this crane is in progress. Steam generator and reactor coolant pump support columns have been set and are in the process of being aligned. The installation of the 4 steam generators and the reactor vessel and the other components of the nuclear steam supply system is scheduled to start in early June.

"The setting of the Nuclear Steam System will represent a major milestone in the development of the project and will signal a transition from a purely civil oriented activity to a program embracing civil, mechanical, and electrical construction disciplines.

"The contractor and sub-contractors had a total of 4,191 people on the site as of April 30, 1979. Construction of the project continues to be basically on a 40-hour week with some overtime being worked by some personnel in various areas of the project when the need arises. The project is currently on a 2-shift basis.

"Implementation and staffing of the revised integrated project organization is progressing with emphasis on the engineering and management requirements, with Brown & Root and Houston Lighting and Power having added key personnel. Implementation of the revised construction organization is underway and should coordinate well with the change in construction disciplines.

"The revised base line data is currently expected to be ready for preliminary review in late July or August. This data will be key because the detailed quantification will provide traceable cost accounting, cost projections, manning requirements, schedule performance and 'look ahead' planning basis. Its development has required a top priority engineering and management commitment. The base line data is considered essential to improved project management.

"Construction appears to be moving satisfactorily. Unit #1 is very tight schedule-wise, but Unit #2 appears to be ahead of schedule with high productivity. The same relationship between the first and second units appears to occur at the Fayette Project. There are several factors that appear to contribute to improve schedule and productivity on a second unit. For one thing, engineering on the first unit is also engineering on the second unit resulting in reduced engineering constraints. Vendor approval, drawing certification, and schedule problems are worked out on the first unit and are minimal on the second unit. Resolution of engineering problems and 'constructability' problems are resolved on the first unit, and finally construction knowledge acquired on the first unit by the construction personnel accrues to the benefit of the second unit. Currently field construction is not the project schedule constraint. That constraint now centers on engineering and vendor performance. As a result, the construction activity was reduced to two 40-hour shifts in order to better manage the project.

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"The project manager has been contacted by Mr. Mark Bennett, an attorney from Austin, who is representing the 'Texas Mobilization for Survival' group in its planning for a demonstration at the STP site on June 2, 1979. At Mr. Bennett's request, a meeting was held on April 21, 1979 in the office of Sheriff Hurta with Sheriff Hurta, Mr. Bennett and two assistants, and STP Security Coordinator in attendance. Mr. Bennett emphasized that it is the desire of his client that the demonstration be legal and peaceful. He further emphasized his group does not want any civil disobedience and that designated rally leaders are being provided training in methods of controlling the demonstrators. Mr. Bennett identified himself as the individual who will act as coordinator and representative of the demonstrating group. Sheriff Hurta has advised Mr. Bennett that the demonstrating group not block the highway, not interfere with traffic on the highway in any way, and not interfere with ingress and egress to the STP site and that his office would be checking the site for compliance with these conditions. Mr. Bennett was escorted on a tour of the perimeter of the STP site and was shown the boundaries of the private property on the site.

"As of the end of April, 1979, Austin's incurred cost for its 16% share of the project is approximately \$144,368,850."

MONTHLY STATUS REPORT ON FAYETTE PROJECT

Mr. R. L. Hancock presented the following monthly status report on the Fayette Project:

"The Fayette Power Project is proceeding in a satisfactory manner. Construction was somewhat constrained by 4-1/2 inches of rain last month, with the major impact occurring in the transmission line construction area.

"Unit #1 and Common is still undergoing testing, and of course, in the course of that testing, coal is being utilized as a fuel, and the energy produced by the unit while in the test phase is being utilized in LCRA and the City of Austin's systems.

"As of May 17, the City of Austin had received approximately 35,000,000 kilowatt hours from the Fayette Unit #1, which amounts to a 27% contribution to Austin's electrical energy needs through the 17th. As part of the testing process, it is necessary to operate the unit at full load for 24 hours, and it is anticipated that this will be accomplished next week. The full load test run, however, depends on certain chemical and mechanical constraints, which cannot and should not be rushed. Upon completion of that test run, the unit will be shut down for a few days, and a number of changes accomplished prior to its re-activation. Additional tests will be necessary prior to the unit receiving a commercial classification. The construction schedule anticipated this for June 1, however, attaining that date will depend entirely on unit performance in the various test loads. From a practical point of view, however, the energy is currently being utilized in both utilities' systems, although the unit is not considered reliable at this stage.

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"Coal inventories are continuing to improve with a current inventory in the order of 45 to 60 days. Turnaround time on unit trains from Burlington Northern are still too long, and an improvement in the 250-hour turnaround time is very desirable. The extent to which Burlington Northern can improve this remains to be seen. Unloading time at the plant for a full unit train of approximately 100 cars is targeted at 4 hours. Steady improvement in unloading has been experienced, and the majority of cars have been unloaded within the 4 hours. Further improvements are anticipated in this area.

"The Project has experienced a number of normal and anticipated problems in the startup mode, but the purpose of the testing is to identify those problem areas and make appropriate corrections. In my view, the problems are fewer and less severe to date than I would have expected, although it should be emphasized that the testing is not yet complete.

"Permanent plant staffing and training was initiated over two years ago, and the operational personnel have been utilized in the start up of the various subsystems within the plant. The advantage of this early staffing and early training is very evident.

"Brown and Root currently has 760 employees on the project, and their efforts are being concentrated on Unit #2. Anticipated commercial date for that unit is June of 1980. Unit #2 suffered approximately an 8-month schedule slip previously because of a number of problems. The Austin City Council and the LCRA Board of Directors authorized an accelerated construction program on Unit #2, and it now appears that that schedule is attainable, although tight. The fact that staffing levels have been increased considerably in the construction area on Unit #2, the advantage of the learning curve on Unit #1, the extended construction hours, and the fact that most of the engineering and field corrections were made on Unit #1 and will not be necessary on Unit #2 all contribute to the attainable construction schedule on Unit #2 of June, 1980.

"Transmission connections to the project currently are not as strong as desired. Two connections were anticipated for Unit #1, one being a short line section from the project to LCRA facilities in Fayetteville, and the second being a high voltage transmission line from the project back toward Austin, interconnecting with Austin and LCRA's system. Schedule delays have been experienced on the transmission section back to Austin, however, the line section to Fayetteville has been completed and is workable. It does, however, leave the plant feeding into Austin and LCRA's systems through one transmission line, as opposed to the scheduled two lines. A maximum effort is being exerted by the City of Austin to complete construction on the line section from the Fayette Power Project back to Austin and LCRA's systems, and it is anticipated that it will be available shortly.

"Austin's investment in the project is \$169,110,000.

May 24, 1979

"The latest financial statement indicates the contingency fund for Fayette Units #1 and #2 is \$3,352,000.

SUMMER COUNCIL MEETINGS

The City Manager had a report on recommendation to reduce the number of City Council meetings during the summer months because of the need for added budget and C.I.P. discussions. The recommendation will be back on the May 31, 1979 Council Agenda.

ADJOURNMENT

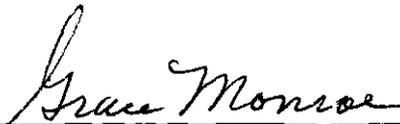
Council adjourned its meeting at 4:30 p.m.

APPROVED



Mayor

ATTEST:



City Clerk

City Clerk